



David Berndt
Assistant General Counsel
One Executive Park Drive
Bedford, NH 03110
Ph: (603) 314-2360
Fax: (603) 314-0457

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VIA U.S. MAIL AND ELECTRONIC MAIL

Mary Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: D.T.E. 03-50 - Comments of CTC Communications

Dear Secretary Cottrell:

On November 8, 2005, Verizon Massachusetts ("Verizon") sent a proposal to the Department of Telecommunications and Energy ("Department") to modify the Performance Assurance Plan ("PAP"). CTC Communications ("CTC") objects to Verizon's proposal.

Comments were due on December 8, 2005 in this matter. A motion is submitted herewith, requesting that CTC be allowed to file its comments late.

CTC specifically objects to Verizon's proposal in the following regards:

1. Reduce the frequency of the audit from annual to triennial;
2. Change the audit from mandatory to discretionary; and
3. In the case that Verizon's request to reduce the audit frequency to a triennial basis, limit the audit to only the most recent twelve month's performance out of the preceding three-year performance period.

I. The Department Should Not Reduce the Audit Frequency

CTC concurs with the Comments filed by Conversent Communications of Massachusetts, Inc. ("Conversent") on December 8, 2005 in this proceeding. Like Conversent, CTC strongly believes that the primary reason for Verizon's current level of service under the existing PAP is the annual audit. Without the annual audit requirement, Verizon's incentive to perform well will dramatically decline.

II. The Department Should Not Change the Audit from Mandatory to Discretionary

Verizon's performance and compliance with regulatory requirements is better when it is required to report on its behavior proactively rather than after the fact, upon the filing of a formal complaint by one of its competitors. It is too easy to disrupt the tenuous toehold of many competitors in the marketplace by poor service and performance in general. And while the affected competitor may complain later on, it may be too late in terms of staying solvent after the departure of all its customers because of poor Verizon network performance. As CTC stated, "[e]ven if poor performance by Verizon is discovered later, the damage to competition . . . will have been done and might be irreparable."

III. The Department Should Not Limit the Audit to Only the Last Year of a Three-Year Period

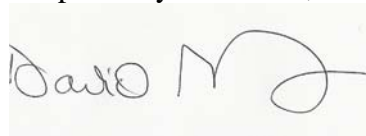
For all the reasons expressed above, it is critical for the sake of fostering the development of competition in Massachusetts that the Department maintains an annual audit of Verizon's performance. To change this audit from an annual basis to a three-year period, and then only review the preceding twelve months would be disastrous to the fledgling competition. Verizon's proposal would eliminate any public review of two out of every three years of its performance. Without such review, Verizon would have no incentive to comply with its PAP obligations during the non-audited two year periods. Finally, Conversent makes additional points on this issue, to which CTC concurs.

Conclusion

For the reasons set forth above, CTC respectfully requests that the Department reject Verizon's proposals in this proceeding.

Thank you very much.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Berndt", is written over a light yellow rectangular background.

David Berndt

cc: DTE 03-50 Service List